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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,123	10/04/2004	Norman Understein	2802-34 (AMK)	6620
23117 7590 06/19/2007 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			EXAMINER BASIT, ABDUL	
			ART UNIT 3694	PAPER NUMBER
			MAIL DATE 06/19/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/510,123	<b>Applicant(s)</b> UNDERSTEIN, NORMAN	
	<b>Examiner</b> Abdul Basit	<b>Art Unit</b> 3694	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/4/2004</u> | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 6-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Schutzer (US Pub. No. 2002/0032653).

#### ***Regarding claim 1:***

Schutzer teaches a method of processing funds between a transferor and a transferee, at least the transferor having a transferor deposit sub-account administered via a depository administrator, the method comprising:

- (a) the transferor accessing the depository administrator via a global network; (see ¶ 13-26).
- (b) the transferor requesting a transfer or hold of funds in the transferor deposit sub-account to or for the benefit of the transferee; (see ¶ 13-26).
- (c) if the transferee does not have a transferee deposit sub-account administered via the depository administrator, providing the transferee an opportunity to establish the transferee deposit sub-account, (see ¶ 13-26) and

(d) the depository administrator processing the funds between the transferor deposit sub-account and the transferee deposit sub-account. (see ¶ 13-26).

***Regarding claim 6:***

Schutzer teaches holding the funds in the transferor deposit sub-account until receiving confirmation that an event has occurred. (see ¶ 13-26).

***Regarding claim 7:***

Schutzer teaches that the confirmation that an event has occurred comprises confirmation by the transferor. (see ¶ 13-26).

***Regarding claim 8:***

Schutzer teaches that the confirmation that an event has occurred comprises confirmation of product delivery. (see ¶ 13-26).

***Regarding claim 9:***

Schutzer teaches that the confirmation that an event has occurred comprises confirmation of service completion. (see ¶ 13-26).

***Regarding claim 10:***

Schutzer teaches a method according to claim 1, wherein the depository administrator maintains multiple master accounts at multiple financial institutions, and wherein step (d) is practiced by internally processing the funds between the transferor deposit sub-account as part of one master account and the transferee deposit sub-account as part of a different master account. (see ¶ 13-26).

***Regarding claim 11:***

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Schutzer teaches a method according to claim 1, further comprising issuing automated teller

machine (ATM) cards to holders of deposit sub-accounts, and enabling the transferor and transferee to deposit funds or withdraw available funds via their respective ATM cards. (see ¶ 13-26).

***Regarding claim 12:***

Schutzer teaches a method according to claim 11, further comprising, prior to step (a), the transferor depositing funds into the transferor deposit sub-account using the transferor's ATM card, and after step (d), the transferee withdrawing funds from the transferee deposit sub-account via the transferee's ATM card. (see ¶ 13-26).

***Regarding claim 13:***

Schutzer teaches a method according to claim 11, further comprising, after step (d), the transferee withdrawing funds from the transferee deposit sub-account via the transferee's ATM card.

***Regarding claim 14:***

Schutzer teaches a method according to claim 1, wherein the depository is a bank. (see ¶ 43).

***Regarding claim 15:***

Schutzer teaches a method according to claim 1, wherein the depository is a retail establishment. (see ¶ 43).

***Regarding claim 16:***

Schutzer teaches a computer system for processing funds between a transferor and a transferee, at least the transferor having a transferor deposit sub-account administered via a depository administrator, the computer system comprising:

- At least one user computer running a computer program that enables the transferor to access the depository administrator to request a transfer or hold of funds in the transferor deposit sub-account to or for the benefit of the transferee; (see ¶ 13-26) and
- A system server running a server program, the at least one user computer and the system server being interconnected by a computer network, the system server processing the funds between the transferor deposit sub-account and the transferee deposit sub-account, wherein if the transferee does not have a transferee deposit sub-account administered via the depository administrator, the system server providing the transferee an opportunity to establish the transferee deposit sub-account. (see ¶ 13-26).

***Regarding claim 17:***

Schutzer teaches a computer program embodied on a computer-readable medium for processing funds between a transferor and a transferee, at least the transferor having a transferor deposit sub-account administered via a depository administrator, the computer program comprising:

- Means for the transferor to access the depository administrator via a global network; (see ¶ 13-26).

- Means for the transferor to request a transfer or hold of funds in the transferor deposit sub-account to or for the benefit of the transferee; (see ¶ 13-26).

If the transferee does not have a transferee deposit sub-account administered via the depository administrator, means for providing the transferee an opportunity to establish the transferee deposit sub-account; and means for the depository administrator to process the funds between the transferor deposit sub-account and the transferee deposit sub-account (see ¶ 13-26).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schutzer in view of Ranzini (US Pub. No. 2002/0065784).

***Regarding claim 2:***

Ranzini, not Schutzer, teaches alerting the transferee via E-mail that the transfer or hold of funds has been requested. (see *claims 1-10 of Ranzini*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schutzer with Ranzini. Motivation to modify exists because email is an efficient method of communicating a transaction.

5. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schutzer in view of Ranzini (US Pub. No. 2002/0065784) and in further view of Naylor

(US Pat. No. 6,625,642).

***Regarding claim 3:***

Naylor, not Schutzer, teaches that an E-mail address is compared with stored E-mail addresses. (*see column 4, lines 1-10, figure 7A*)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schutzer with Naylor. Motivation to modify exists because using email affirm identity is an efficient method of preventing fraud, since emails are unique.

***Regarding claim 4:***

Schutzer teaches providing a link to the depository administrator enabling the transferee to establish the transferee deposit sub-account. (*see ¶ 18*).

***Regarding claim 5:***

Ranzini, not Schutzer, teaches the step of alerting the transferee via E-mail further comprises providing a link to the transferee deposit sub-account. (*see claim 23 of Ranzini*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schutzer with Ranzini. Motivation to modify exists because email is an efficient method of communicating a transaction.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdul Basit whose telephone number is 571 272-7246. The examiner can normally be reached on Monday - Friday, 8:30am to 5:00pm.

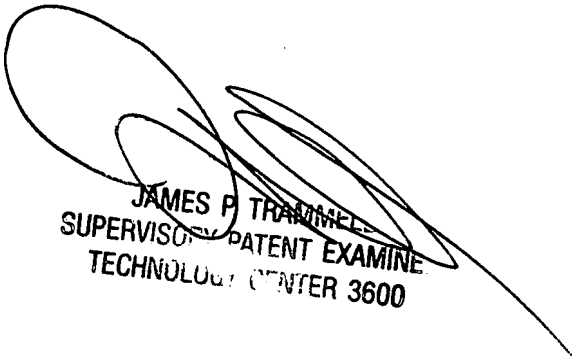


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571 272 6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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JAMES P. TRAMMELL  
SUPERVISOR, PATENT EXAMINE  
TECHNOLOGY CENTER 3600